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ABSTRACT

The problem of student abuse of drugs and alcohol demands immediate action at the state level to ensure the taking of suitable action at the local level. It is inappropriate for state agencies to refuse to act, to delegate full authority to local agencies, or to try to take an equivocal position; the most reasonable response appears to be to share with local districts the responsibility for formulating clear policies and programs. Developing policy concerning substance abuse is complicated by several serious factors that are not normally associated with educational policy: (1) the activities with which the policy is concerned are clearly illegal; (2) these activities can be life-threatening; (3) the problem is rooted in community conditions and mores; (4) policy opposing intrusion into students' family lives may have to be set aside; and (5) effective action may challenge students' rights and freedoms. One option that states should consider is providing guidance to local agencies concerning policy issues affecting prevention, detection, and treatment of substance abuse. States must also decide whether to make their policies mandatory, whether to assist local districts in policy development, and whether to fund staff training, curriculum development, and the creation of program evaluation methods. (PGD)

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THE Northwest Regional Educational Laboratory

PROGRAM REPORT

SUBSTANCE ABUSE IN SCHOOLS:

STATEWIDE EDUCATIONAL POLICY ISSUES

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Prepared for the
Chief State School Officers of the Northwest and Pacific

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SUBSTANCE ABUSE IN SCHOOLS:
STATEWIDE EDUCATIONAL POLICY ISSUES

I. Introduction

Abuse of drugs and alcohol by students, long a problem of serious concern, has recently become the focus of very major attention by a large number of agencies and organizations. For example, just within the period of the last few weeks (Fall, 1986) the Congress has passed a drug-abuse education bill of great potential importance; the National Association of State Boards of Education has completed a survey of prevention programs in the 50 states; the NEA has issued a major publication concerning student drug and alcohol abuse; and the U.S. Department of Education has released a how-to manual called "Schools Without Drugs."

In this current explosion of national concern about the school "drug problem," a great deal of attention has understandably been given to the most obvious and pressing concerns: the magnitude of the incidence of abuse and the specific actions which can be taken to address the problem. Comparatively less attention has been given to a more fundamental issue: the basic statewide educational policies which would serve to undergird the operational programs.

It could be argued, of course, that the almost overwhelming urgency of "doing something about" problems of student drug abuse demands all of our immediate attention, leaving no time for development of statewide policy, and that whatever policies might be developed are, of necessity, local in nature. But the counterargument, which seems more convincing, is that the formulation of policy should precede the establishment of program, to give direction to the latter; and that any problem of this magnitude needs to be approached from the perspective of state responsibility for the overall supervision of the educational system.

Therefore, it would seem useful to examine policy issues and consider policy options involved in establishing the framework for a student substance abuse policy. This issues analysis paper is not one describing a specific program or even various program alternatives; such detailed plans are appropriately developed on a site-specific basis--that is, at the local district level. But the broad policy issues discussed here are concerned with realities, not with abstractions, and are ones which have application to specific school programs.

II. The General Policy Stance

One option sometimes favored by policy makers--and quite prudently so--is the "no action" alternative. That does not seem to be an available option with respect to student substance abuse. Some complex issues are perhaps better put on the back burner for a time, left to

simmer quietly while emotions subside and consensus begin to emerge. There is surely some temptation to do just this with the drug abuse problem as it affects the schools, because it is such a volatile, emotional, value-laden issue. But the critical urgency of the problem is such that firm, forthright positions have to be taken. Clearly articulated educational policies are demanded.

Another way of partially dismissing the problem is to declare it to be a local issue, which in terms of actual operating procedures it most probably is. But if the state education system, under the leadership of the state education authorities, is to have a coherent and cohesive set of expectations and goals, matters such as this cannot be left entirely to "local control."

If the SEA concludes that the problem can neither be put aside to assigned to the local education agencies, the remaining option for a general policy stance becomes the most feasible: to attack the problem as one of joint state/local concern, with shared responsibility for both policy formulation and program development.

There is one more policy position that applies very specifically to the drug problem: there seems to be little opportunity for taking an equivocal position. On some educational issues the arguments for and against a given position are so evenly balanced that it is quite appropriate to have a judiciously "balanced" policy. But with substance abuse, there is good reason to believe that policies will need to be set within a framework of unequivocal opposition to the possession, use, distribution, or influence of drugs in the schools: "Every school drug free" is a slogan which can well be supported.

III. Special Policy-Development Problems

Perhaps one of the reasons that it is so difficult to find materials dealing with the policy issues concerning drug abuse in the schools, as contrasted with program information, is that the very nature of the problem makes it extremely difficult just to do a rational analysis and then set forth a clear-cut set of policy options. The drug problem is fraught with an unusual number of serious concerns not ordinarily associated with other educational policy issues.

First, in confronting student substance-abuse in the schools (or directly affecting the schools), we are generally concerned with acts which are themselves basically illicit. Therefore, school people comfortable in dealing with personal, social and educational problems find themselves confronted with issues in which a very fundamental fact is that what is happening is illegal, and that the misbehavior is criminal behavior, in many cases, which should be officially reported. If, as an educator, one has been accustomed to giving the student the benefit of the doubt, to giving him or her a second chance, it becomes difficult to lower the boom.

Nevertheless, as the problem becomes more widespread, the offenses more serious, and the violations flagrantly repeated, an opposite mood which makes it difficult to consider policy alternatives rationally may take hold: these are not youth-at-risk to be regarded with compassion; they are young offenders, violators, criminals! So, we ought to throw the book at them! This attitude, too, makes it difficult to sort out the most reasonable and effective policies.

Another factor which complicates the developing of sound policies with respect to substance abuse in schools is that the problems resulting from this abuse are so serious, the consequences so literally life-threatening, that there is no time for a let-it-ride, wait-and-see, laissez-faire attitude, very common and very useful in dealing with many kinds of problems in education. Lives are at stake here; the problem won't wait for an ideal solution.

It is difficult, too, to develop school policies when the major cause of the problem is based in the community, not the school. The school can surely help or hinder in the solution to the problem, or at least in the treatment of its more obvious manifestations, but it is in community conditions and community mores that the problem is rooted.

Of even greater significance to the abuse problem--and hence an even more complicating factor in devising sound educational policy--is that special part of the community from which the individual comes: the family (or all too commonly, the non-family) which provides a crucial portion of the experiences and values which the student brings to school. It is not generally considered good education policy for the school to be very inquisitive--certainly not intrusive--in matters involving the family; nor is it considered proper for the school to denigrate the family values and to attempt to substitute its own. But in the serious problems of substance abuse, do these old policy guidelines apply, or are the stakes so high that the schools have to be both intrusive and directive?

It is probable that the most complex policy questions in the whole topic of substance abuse are those having to do with rights and freedoms. Of course, almost any important issue in education, from compulsory education to curriculum content to testing programs runs up against some question of rights and freedoms, but the problem is faced most starkly when a policy calls, say, for mandatory drug testing. Further mention will be made below of this particular issue, but it serves here as an example of the difficulties encountered in substance-abuse policy development, even before the specifics of a policy are thought through or specific policy areas are examined.

To remind ourselves of these special problems in policy development does not mean that we are stymied in considering the options in specific policy areas, but it does mean that the options may be subject to an unusual number of constraints.

IV. Specific Policy Areas

As state education authorities consider policy areas related to substance abuse in schools, an initial choice of approach is clearly available: to provide models, or to provide a framework for local discussion and action. Providing model policies for LEA's to follow could lead to more uniformity of practice; providing the framework would stimulate more thorough dicsussion and lead to presumably more appropriate local action. Such a framework might include raising the pertinent policy issues in three areas: prevention, detection and treatment.

A. Prevention

It would seem almost axiomatic that the cornerstone of any policy regarding substance abuse in schools would be an overriding emphasis on prevention. Ideally, to the extent that the prevention effort was successful, less and less attention and effort would have to be devoted to the other two areas of concern, detection and treatment.

The initial policy issue would be whether to develop a specific drug-abuse-prevention program as such, or whether to decide that the schools' concern could be sufficiently expressed by encouraging teachers to use whatever materials they chose, in whatever way they saw fit, to teach about drugs and alcohol whenever they detected a "readiness" or a "teachable moment."

The formal-program approach is probably the one most in favor at the present. The existence and use of such a program--whatever its specific details may be--highlights the issue in the public mind and in the concern of the school: it says, "We're taking this matter seriously." A specific program is more likely to have been professionally and cooperatively developed, and to use a multifaceted approach. If carefully done, it should be of progressive complexity and depth, sequenced appropriately for different ages, levels of comprehension and degrees of interest and compatible with other curricular elements.

It now seems very likely that whatever federal funds become available will require that a specific drug-education program be developed under specified conditions (listed in the legislation, but not yet clarified with published regulations); wide involvement of a broad spectrum of school and
community leaders and officials; the establishment of a discipline code; the provision for counseling; and a formal program evaluation procedure. Having to have a distinct program in order to receive the federal funding will provide a strong motivation for program development.

Still, those who believe that the problem can best be attacked by "infusion" of the curriculum with appropriate materials, taught rather incidentally at appropriate times, deserve a fair hearing. It is possible to make too big a deal of any problem, magnifying it out of

proportion to even its admitted seriousness. It is true that well-intentioned drug-education programs of many kinds have not always worked. It is true that there is some danger of starting at too young an age and of making the drugs sound so exotic and fearsome as to spark undue interest and a desire to experiment.

On balance, however, a formal program aimed primarily at prevention of substance abuse would seem to make good policy sense, especially if it is broad enough to include some related elements: building a more favorable school culture or climate; providing for extensive staff development; and nurturing supportive community relations. The specifics of each of these desirable elements become programmatic concerns; their inclusion is a matter of conscious policy statement and implementation.

B. Detection

If prevention of substance abuse is the most important long-range policy question, the most pressing short-range question is the one of detection. For unless the abusers can be found, there is no way to address the treatment element of the program to their needs.

The intent of the detection policy is of great importance. In the minds of many it appears to be punitive: we're going to catch those kids and punish them. Such a view is understandable and at least partly supportable, but a much sounder motivation for programs of detection is to help the youth, not just to "bust" them.

Whatever the motivation of the detection program, it would seem to need some policy quidelines, especially in light of the growing popular demand for "drug testing." This is a demand that has become so strident as to seem almost vindictive in nature and one which often carries with it the assumption that anyone who raises questions of constitutionality of the procedure or the reliability of the tests is some sort of legalistic wimp.

Persons who are strongly in favor of drug testing, even to the point of universal testing, tend to dismiss questions raised as being "mere legal technicalities." Actually, testing raises profound constitutional issues regarding the right to be free from unreasonable search, the right to privacy, the right to be considered innocent until proven guilty, and a wide range of similar questions.

Moreover, the accuracy of the screening device most commonly used--a fairly simple form of urinalysis--is quite suspect. There is a high enough incidence of "false positives" to be of real concern. A more sophisticated test that costs from ten to twenty times as much as the simpler one is available, but the added cost, plus the fact that by the time the student has to be retested much of the psychological damage has already been done, works against the common use of this more costly test. Problems of assuring the authenticity and security of the sample and specifying the conditions under which it is collected and transported raise sensitive issues of the right to reasonable expectation of privacy.

The specific, detailed, carefully worded regulations needed certainly call for competent legal advice, but before going that far education decision makers need to formulate overarching policies which ideally would seem to be based on the principles of minimum use of testing, maximum safeguards of fundamental rights and great sensitivity to avoiding undue intrusiveness.

These fundamental policy decisions, it may be suggested, need also to be made in conjunction with procedures which may be set up to facilitate other methods of detection--searches, for example, or the use of informers. Random locker searches require one set of rules, targeted searches another, with both requiring scrupulous attention to the "probable cause" concept. Using informers is quite different from casually picking up information and in addition to the interpersonal problems it causes, may involve charges of entrapment. Again, specific legal advice will be needed; but first of all, it would seem most prudent to have basic policies in place.

Another matter related to the detection of substance abuse involves no substantive legal problems, but is also a policy issue. That is the matter of early intervention through careful observation of behavior. If, as a matter of policy, teachers are specifically trained to detect early indication of substance abuse and to make referrals to the counselors or other proper authorities, many of the distastefully and perhaps illegally intrusive detection methods could be avoided.

C. Treatment

When prevention has not worked and an instance of substance abuse has been detected, then treatment of the abuser becomes the primary educational concern. Without attempting to describe the various specific methods of dealing with individual cases or groups of youth with similar problems, we can nevertheless identify some of the policy areas that will ordinarily have to be addressed, with policies in place before the specific problems arise.

Perhaps the starting place would be a confidentiality policy, one which puts a high priority on keeping each case as confidential as the circumstances permit. Since circumstances do differ, the policy would have to be general in wording but unmistakable in intent.

The confidentiality policy can, however, be made quite specific in spelling out the relationships the school will endeavor to establish and maintain with parents, with legal authorities, and with other youth-serving agencies. This policy could take many forms, but there would be much to recommend one which emphasized, above all, that the "need to know" and the potential for the nonschool person or agency to be of maximum help to the student, would guide the formulation of the detailed procedural regulations.

It should be evident that a confidentiality policy would be designed to support, not limit, cooperation with nonschool agencies in treatment programs. There seems to be widespread agreement that substance abuse by youth is not just a school problem and that the successful treatment of the abusers will require marshalling the total resources of the community. Policy statements committing the school to seeking aid utilizing such community involvement would seem advisable.

Disciplinary actions are always a potential form of treatment of offenders and often a very necessary step in the treatment process. The point-by-point and step-by-step details of how disciplinary cases are handled are not at issue here; what is important from a policy standpoint is that there are established policies which govern these regulations. Absolute fairness; respect for individuals; affirmation of the obligation of the school to maintain a secure and orderly learning environment; specification of the penalties that will be uniformly applied; and clear statement of students' rights and responsibilities--these, at least, would be suitable elements in such a policy statement.

No policy on treatment would seem complete unless it gave clear indication that the school assumed an obligation to set up remedial and curative programs, within the limits of its ability, with the expressed aim of returning the abusers to productive engagement in the educational program. Without such a policy in place and clearly made known, the schools' real concern--effective education--might seem to have been subordinated in coping with crisis.

V. Basic State Options

If the policy issues raised in the preceding sections of this paper have been accurately identified, it would appear that state education decision makers are presented with three different policy levels on which they may choose to operate. One is that of deciding whether local districts will be <u>required</u> or merely <u>urged</u> to have a local substance-abuse education program. Another is that of providing assistance to local districts in devising their own policies governing student substance abuse. The third is that of establishing policies giving direction to those activities which are almost inescapably state-level responsibilities: providing state fiscal support and technical assistance in the three areas of (1) district staff development and training; (2) development of curriculum in substance-abuse prevention; and (3) devising evaluation techniques and instruments useful in determining program effectiveness.

The degree to which these policy areas are emphasized and integrated is perhaps the major policy choice to be made at the state level.